

Select board, April 22nd, 2013

**Town of Castleton
Select Board Meeting
Minutes of April 22, 2013
Castleton Town Offices**

MEMBERS PRESENT: Thomas Etori, Cristine Smith, John Hale, Wenger Rehlen, Ed O'Shea

MEMBERS NOT PRESENT: None

OTHERS PRESENT: Charles Jacien; see attached list

Meeting called to order at 7:10 by Chairman T. Etori.

Executive Session

MOTION

C. Smith made a motion to enter executive session with the Board, Town Manager, and Tom Hobson regarding contractual discussion. Seconded by E. O'Shea. All in favor. So voted.

MOTION

C. Smith made a motion to exit executive session with no action taken at 7:45. E. O'Shea seconded. All in favor. So voted.

Chairman T. Etori lead the Pledge of Allegiance. He also asked the journalism students from Castleton State College to introduce themselves.

Minutes for Approval- April 8th, 2013

MOTION

C. Smith made a motion to approve the minutes from April 8th, 2013. J. Hale seconded.

In related discussion, on pg. 2, Letter of Intent-JAMAC, motion did pass, should read "All in favor. So voted."

All in favor of approving the minutes as amended. So voted.

Warrants for Approval

MOTION

C. Smith made a motion to approve warrant 0422 for \$76,684.34, 0418 for \$5,021.97; 0412 for \$6,863.40; 0411P for \$12,675.22; and 0418P for \$18,866.63. J. Hale seconded.

E. O'Shea asked about the gun parts. Town Manager Jacien stated that this was for the police department.

All in favor. So voted.

Ratification of Highway Foreman Contract

Town Manager Jacien stated that P. Eagan is currently working without a contract. He stated the

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current contract has the same benefits, but will change January 1st based on collective bargaining agreements. He also stated it reflects the salary discussion. The term is for 3 years.

MOTION

Motion to approve P. Eagan's contract as presented. Seconded by J. Hale. All in favor. So voted.

Town Office and Fire Station Update

Chairman T. Ettori stated that the board has met with Claypoint, and at this point, they are not finished with their study. Until a full report is given to the board, nothing more will be presented to the public. He also stated that anything there can be fixed. He noted that there is an underground fuel tank on the premises which will have to be removed. J. Berryhill will be meeting with employees and the Town Manager this week to go over the plans. He hopes to have a set of plans and cost estimate within a month. He also stated that the next round of grants is in October. There would be a 25% match to get \$75,000 which is the max amount approved. He stated this does trigger Bacon Davis, which means anyone working on the town office would be paid union dues. It would also require 2 additional environmental studies and an 80 page application. He stated there can be a timing issue, and grants are not usually given once a project is started.

M. Combs asked which grants he was speaking of. Chairman T. Ettori stated that the \$75,000 grant is from the ADA for accessibility. He also stated most grants hinge around accessibility, although one is for historic preservation.

H. Goyette asked about the difference between normal and union wages. Chairman T. Ettori stated that was something that would have to be looked into.

Chairman T. Ettori stated that they did look into the curb cut with the state. J. Berryhill will work on the plans for this. He stated there is a possibility of needing a gate so it could only be used for the exit of the Fire Department. He stated that J. Berryhill believes that the Act 250 permit would be a minor change, but could change to major if there were complaints. However, the town does not have to pay for the Act 250 permit, and the cost of the plans would be the same. He stated that the wetland delineation would be done on April 30th.

J. Rehlen asked if the Board was going to schedule a vote within 60 days of the receipt of the petition. Town Manager Jacien stated that they were told by counsel that the vote did not need to be scheduled within 60 days. Chairman T. Ettori stated that the Board would wait on a cost estimate.

Other Business

J. Hale stated that the Planning Commission is currently examining the 2 Reinfurt properties, and has drafted a plan to allow designation of those properties as College Campus. He stated he was looking for some feedback from the board.

C. Smith expressed concern that this would be a property by property change down South Street. E. O'Shea agreed, and stated that he had bought property and wanted a zoning change, but was told no. He questioned why this would be done for the college but not an individual taxpayer. He asked what the opinion of the rest of the Planning Commission was.

J. Hale stated that this is not qualified as spot zoning because it is a contiguous zone. He also stated that the Planning Commission authorized him to speak with the Board to see if they would be amenable to

such a change. He stated he is in favor, and knows of one member not in favor. He stated he could not speak for the other 3 members.

Chairman T. Ettori suggested this be warned on the agenda for the next meeting so public could come speak on the issue.

Chairman T. Ettori stated that he had spoken to K. Thornblade, who agreed to spend 35 hours per week in the Town Clerk's office, although she may not be open for the entire 35 hours. He stated that under state statute, the Town Clerk is allowed to set her own hours. However, this solution eliminates her from taking work home.

MOTION

C. Smith made a motion that the Town Clerk work 35 hours in office, although the office does not have to be open for the whole 35 hours. W. Rehlen seconded.

E. O'Shea asked how many times K. Thornblade worked a full 4 hours at home. K. Thornblade stated it is mainly during election season, but that she hardly ever worked a full 4 hours from home, although she would have to look at her time sheets.

C. Smith asked if K. Thornblade had an assistant she could rely on. K. Thornblade stated that she does.

All were in favor. So voted.

M. Combs asked if the hours were not to exceed 35 hours. Chairman T. Ettori stated that is another issue, related to comp time during BCA meetings and elections.

M. Combs stated that the job description has morphed since S. Grey, who was paid by fees. The Board voted to go from fees to a salary/wage base with E. LaFleche. She also stated that by federal standards, elected officials are not allowed Overtime or Comp, and that the Comp time was by motion of the Select Board.

Chairman T. Ettori stated that for right now, the previous motion should solve the wage problems.

K. Thornblade stated that she knows many Town Clerks who take comp time for elections.

M. Combs suggested going to a straight salary as a simple solution. She would be paid a certain amount of hours each week, and it wouldn't matter if the hours were attributed to sick, vacation time, etc.

M. Combs also stated that the intent of the hour of paid walking per week is that it is taken during work hours. K. Thornblade stated that she might walk on Friday, although the office would not be open.

MOTION

J. Hale made a motion that K. Thornblade is entitled to get paid when she walks during the week as long as she is working on the premises. Seconded by W. Rehlen. All in favor. So voted.

Citizens' Concerns

J. Rehlen asked about the categories for executive session, and what today's executive session fell under.

Chairman T. Ettori stated that the categories are Legal, Personnel, Real Estate, and Contractual. He stated that today's executive session was under contractual since early disclosure of price estimates could put the town at a disadvantage.

J. Bruno expressed concern about road signs stolen this spring, particularly Coryell Road. Chairman T. Ettori stated that a new sign had already been ordered.

M. Jakubowski stated that she had received complaints at the Amtrak Station related to the Park and Ride not being lighted. Chairman T. Ettori stated that the town would look into additional grant funding for lighting.

B. Potter asked if the study on the mold would be made public. Chairman T. Ettori stated that it would not until the study has been finished, and a full report given to the Board.

L. Melendi asked about the union workers related to the Town Office project—he asked if that applied to just construction or the whole project. Chairman T. Ettori stated that would have to be looked into further.

M. Combs asked for an update about the polling place issue. Chairman T. Ettori stated that he has been told they can use the Legion, but would like to see it in writing.

B. Cook asked if the Board had opportunity to read his letter. Chairman T. Ettori stated that they had. C. Smith stated she concerns about taking up the majority of the meeting by reading letters aloud. Chairman T. Ettori stated that the letter will become part of the record. See attached for the letter.

B. Cook stated that he expressed himself better in writing.

R. Combs asked about the sales agreement with JAMAC. Chairman T. Ettori stated that it will be back from legal by next week. He also stated that JAMAC did agree to move the date to July instead of June.

S. Day announced that truck day would be May 4th, 2013 from 10-2, and invited the public.

A. Cresci asked if the college had been asked about the issues surround the polling place. K. Thornblade stated that a letter was sent to President Wolk.

Town Manager's Update

Sidewalk Project: A public informational meeting will be held at 6pm. All property owners in this area were notified. Issues will be heard and addressed as part of the permit process.

Fire District #1: The 8 inch line is now installed at the Sand Hill property; there have been no issues with this construction. The district will share a copy of the meter readings.

Sewer Collection System: A blockage along Rte. 30 N in the Crystal Beach area caused a backup in the ditch area. The line was flushed and the site was treated with a disinfectant solution. Quotes & Purchase Order are enclosed for a backup generator for the Bomoseen Station (Prospect Point); the current generator will now be located at the Main Pump Station on Main Street/Rte 4a. This has proven to be a weak point in the system during emergencies.

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MOTION

Motion to approve purchase order 032989 for a backup generator in the amount of \$17,500 payable to Brook Field Service. Seconded by J. Hale.

W. Rehlen asked about the quality of the generator. Town Manager Jacien stated that based on research, the quality appeared to be good. He also stated it would be housed on a trailer.

All in favor. So voted.

H.526 Shoreline Protection: This bill seems to be stalled and may be put off to a future session.

Grants Awarded: Vtrans awarded the town a \$175,000 grant for improvements on and along Creek Road from the Green Dump south for 6500 ft. This will be the final mile of recent paving for TH#2. Another \$175,000 grant was awarded for the Grady Bridge project.

MOTION

C. Smith made a motion to approve signing the Float Bridge Grant for reimbursement in the amount of \$5,521.51. J. Hale seconded. All in favor. So voted.

Spring/Summer Paving Projects: Working with approximately \$500,000 the following roads are anticipated to be repaved. Creek Road from the Green Dump south, this entire road will be completely paved. Drake Road from Rte. 4A West to just past the Rte. 4 bridge over overpass, this entire road will be completely paved. Pine Street and Pine Street Loop, Staso Rd from South Street to past the Transfer Station and Sand Hill Road will also be paved. The Highway crew will be doing culvert and shoulder work. Barker Hill Road will be widened by taking down a few large trees and gravel work. Rice Willis Road culvert and shoulder work is scheduled for the late summer. Street sweeping and line painting is scheduled for the next few weeks.

Grady Bridge: A public informational meeting is scheduled for May13th at 6pm to discuss the entire project and scheduling of phasing.

Health Care Exchange: BCBS and MVP have filed Rate requests. The town current benefit (Avis Blue Product highlighted in green) is in line with the proposed Gold Level. The manager will further discuss the status of the plan.

556 Main Street: Testing is complete and will be discussed at the meeting. NBF will meet with the manager and staff in the next few days. An underground oil tank has been located and its removal will be part of the budget for renovation.

JAMAC Property: The wetland delineation will be done on April 30th. Vtrans is requiring a plot plan of the emergency service building including the location and turning radius for the proposed exit, before issuing a permit. The manager had a recent conversation with the act 250 administrator, the minor application will have to satisfy criterion 5: Not to cause unreasonable congestion or unsafe condition with respect to the use of highways. NBF will be able to use existing information to answer this concern. The other criterion is 9k: The project will not affect adjacent properties. The only real difference between a major and minor application is the hearing, there are no application fee for municipalities.

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Public Safety: The Manager met with the president and dean of student to discuss the upcoming weeks. CSC public safety will work alongside the Police in and around the village the next few weekends.

Select Board Concerns

Chairman T. Ettori stated that the constables only have \$256 left in their budget. He asked if the Board wanted to consider letting the Constables overspend their budget to help with college party situation over the next few weeks. He stated the total budget was \$23,202.

M. Finnegan stated that there was a strong show of support for the constables at the town meeting, and that he feels it is in the town's best interest to appropriate additional funds.

C. Smith stated that she does not have a problem adding to the constables' budget if it is done properly.

J. Leamy stated that he supports all police agencies, but that we should be aware that overspending of the Constables' budget is not a new issue. He also stated that the Constables' budget for other towns is considerably less. He stated that each department has a responsibility to live within the budget approved by the voters.

S. Loomis stated that the Select Board cut the Constables' budget, and that he warned them it would not be sufficient.

J. Leamy stated that during the budget discussion for the Constables, the constables were not present. S. Loomis stated that he was not notified of the budget hearing.

C. Smith stated that she does not feel the appropriate amount was budgeted.

P. Graziano questioned why S. Loomis was spending so much time at the Elementary School, but the town was still paying. She stated that if the school wants a police presence, they should pay for it. She stated that the Constables should plan accordingly so as not to run out of money.

MOTION

J. Hale made a motion to authorize \$2500 overspending to the end of the fiscal year to be used for personal services and mileage. Seconded by C. Smith. All in favor. So voted.

W. Rehlen asked if a light in the parking lot at the Community Center could be added so meetings could be held there. Chairman T. Ettori stated he would check with Fire District #2.

Adjournment:

MOTION

Motion to adjourn by J. Hale. Seconded by C. Smith. All in favor. So voted.

The meeting was adjourned at 9:30 P.M.

Submitted by Brittany Gilman

John Hale, Clerk

Date of Approval: _____